

**NATURAL RESOURCE COMMISSION[571]**

**Notice of Intended Action**

**Proposing rule making related to harvesting of certain furbearers  
and providing an opportunity for public comment**

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code sections 455A.5(6), 481A.38, 481A.39 and 481A.87.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 481A.87.

*Purpose and Summary*

Chapter 108 sets the season dates, bag limits, possession limits, and areas open to hunting or trapping furbearers. This rule making proposes to increase the bag limit for river otters from two per fur harvester to three per fur harvester, add Boone and Webster Counties to the one-bobcat-per-fur-harvester zone, and clarify the total allowable bobcat harvest by a fur harvester in a season.

The bobcat and river otter populations are able to withstand these changes. Population data from the past 12 years reveal that Iowa’s river otter and bobcat populations continue to grow and expand into more counties with suitable habitat. Information about their population trends is derived from a variety of sources, such as hunter surveys, harvest information, tooth age distribution, field reports, and sightings. The proposed amendments are, therefore, biologically responsible, as required by law. Additionally, they will increase recreational opportunities for Iowa fur harvesters while helping minimize social issues associated with high river otter or bobcat densities.

*Fiscal Impact*

The Department of Natural Resources (Department) anticipates a very modest increase in fur harvester license sales from the proposed rule making. Currently, resident fur harvester licenses, with the wildlife habitat fee, are \$41 per year. If any additional fur harvester licenses are sold due to this rule making, revenue would be generated for the State Fish and Game Protection Fund. A copy of the fiscal impact statement is available from the Department upon request.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

*Waivers*

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on May 26, 2020. Comments should be directed to:

Vince Evelsizer  
Iowa Department of Natural Resources  
Department of Natural Resources  
1203 North Shore Drive  
Clear Lake, Iowa 50428  
Email: [vince.evelsizer@dnr.iowa.gov](mailto:vince.evelsizer@dnr.iowa.gov)

### *Public Hearing*

A public hearing at which persons may present their views orally or in writing will be held via conference call as follows. Persons who wish to attend the conference call should contact Chris Ensminger via email at [chris.ensminger@dnr.iowa.gov](mailto:chris.ensminger@dnr.iowa.gov). A conference call number will be provided prior to the hearing. Persons who wish to make oral comments at the conference call public hearing must submit a request to Chris Ensminger prior to the hearing to facilitate an orderly hearing.

May 26, 2020  
1 to 2 p.m.

Video/conference call  
Wallace State Office Building

Persons who wish to make oral comments at the public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 108.7(2) as follows:

**108.7(2) *Open area.*** River otters may be taken statewide. Bobcats may be taken in the following counties: Adair, Adams, Appanoose, Audubon, Boone, Cass, Cedar, Cherokee, Clarke, Clinton, Crawford, Dallas, Davis, Decatur, Des Moines, Fremont, Guthrie, Harrison, Henry, Iowa, Jackson, Jasper, Jefferson, Johnson, Keokuk, Lee, Louisa, Lucas, Lyon, Madison, Mahaska, Marion, Mills, Monona, Monroe, Montgomery, Muscatine, Page, Plymouth, Polk, Pottawattamie, Poweshiek, Ringgold, Scott, Shelby, Sioux, Taylor, Union, Van Buren, Wapello, Warren, Washington, Wayne, Webster, and Woodbury.

ITEM 2. Amend subrule 108.7(3) as follows:

**108.7(3) *Seasonal bag limit.***

a. The seasonal bag limit for river otters is 2 3 river otters per person.

b. The seasonal bag limit for bobcats is 1 bobcat per person in the following counties: Audubon, Boone, Cedar, Cherokee, Clinton, Crawford, Dallas, Guthrie, Harrison, Iowa, Jackson, Jasper, Johnson, Lyon, Monona, Muscatine, Plymouth, Polk, Poweshiek, Scott, Shelby, Sioux, Webster, and Woodbury.

c. The seasonal bag limit for bobcats is 3 bobcats per person in the following counties: Adair, Adams, Appanoose, Cass, Clarke, Davis, Decatur, Des Moines, Fremont, Henry, Jefferson, Keokuk, Lee, Louisa, Lucas, Madison, Mahaska, Marion, Mills, Monroe, Montgomery, Page, Pottawattamie, Ringgold, Taylor, Union, Van Buren, Wapello, Warren, Washington, and Wayne.

d. No more than 3 bobcats total can be legally harvested by a fur harvester in a season. River otters or bobcats trapped in excess of the seasonal bag limit or in a closed area must be turned over to the department; the ~~trapper~~ fur harvester shall not be penalized.